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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 12 April 2005 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Chairman of the Committee

It is my pleasure to attach herewith for your attention the Libyan national report concerning measures taken by the Libyan Arab Jamahiriya to prevent the proliferation of weapons of mass destruction, in compliance with Security Council resolution 1540 (2004) (see annex).

(*Signed*) Ahmed A. **Own**
Chargé d'affaires a.i.

05-32496 (E) 160505 250505

Annex to the letter dated 12 April 2005 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Chairman of the Committee*

[Original: Arabic]

Report of the Socialist People's Libyan Arab Jamahiriya on the implementation of Security Council resolution 1540 (2004)

1. The unanimous adoption of Security Council resolution 1540 (2004) on 28 April 2004 was an important event, because in this resolution the Council addresses the threat posed to international peace and security by the proliferation of weapons of mass destruction and their delivery systems, particularly among non-State actors.

2. The Great Jamahiriya has adopted a series of legislative and enforcement measures to ensure the implementation of resolution 1540 (2004) and shall adopt further measures as necessary. The policies of the Great Jamahiriya in this area are reviewed on a regular basis.

3. The Great Jamahiriya fully supports the activities of the Security Council Committee established pursuant to resolution 1540 (2004) by working to ensure the implementation of the resolution at the international level, notably by providing assistance and counsel whenever given the opportunity.

Legislative measures

The People's Congresses, which represent the legislative authority in the Great Jamahiriya, have taken various measures to combat the proliferation of weapons of mass destruction. In June 1988 they published the Great Green Document on Human Rights in the Age of the Masses, which prohibits the use of and trade in weapons of mass destruction and calls on all States to renounce such weapons (see document annexed hereto).

On 19 December 2003 the Great Jamahiriya announced, without being compelled to do so, that it was renouncing all programmes and facilities that could be used to produce internationally banned weapons and would work to strengthen that policy.

At its session held from 8 to 12 January 2005, the General People's Congress adopted Act No. 2 of 2005 on money-laundering, article 11 of which provides for the establishment of a national committee to combat money-laundering.

International instruments

The Great Jamahiriya is a party to the international conventions and treaties on the non-proliferation of weapons of mass destruction. It has signed or ratified the following instruments:

* The regulatory instruments mentioned in this report were transmitted to the Secretariat and may be consulted in Room S-3055.

1. Comprehensive Nuclear-Test-Ban Treaty (CTBT);
2. Treaty on the Non-Proliferation of Nuclear Weapons (NPT);
3. International Atomic Energy Agency (IAEA) safeguards agreement;
4. Additional protocol to the safeguards agreement;
5. Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare;
6. Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention);
7. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention);
8. Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (Partial Test-Ban Treaty);
9. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty);
10. Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof (Seabed Treaty);
11. Hague Code of Conduct against Ballistic Missile Proliferation;
12. African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba).

Measures taken concerning questions raised by Security Council resolution 1540 (2004)

Paragraphs 1-3 of the resolution

Measures taken

The Great Green Document on Human Rights in the Age of the Masses provides as follows:

Article 23

The society of the masses considers that peace among united nations is the key to prosperity, well-being and harmony. It therefore demands that arms trafficking be eliminated and arms manufacture restricted, because such activities squander the wealth of societies and lead to increased tax burdens, and terrorize populations by wreaking havoc and destruction around the world.

Article 24

The society of the masses demands the destruction of nuclear, biological and chemical weapons and other means of mass destruction, as well as their stockpiling,

and desires that mankind should free itself of nuclear power stations and the dangers posed by nuclear waste.

Paragraph 5 of the resolution

***Decides* that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of States parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;**

Measures taken

The Great Jamahiriya is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological Weapons Convention. It is a member of IAEA and the Organization for the Prohibition of Chemical Weapons (OPCW) and participates actively in the ongoing efforts to strengthen the implementation of the Biological Weapons Convention.

Paragraph 6 of the resolution

***Recognizes* the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;**

Measures taken

The Great Jamahiriya supports the multilateral export control arrangements and participates in the development of international norms in that area. In this connection it has adopted a number of laws, including Customs Act No. 67 of 1972 (amended by Act No. 10 of 1981), which governs the import and export of goods of all types and prohibits the import and export of banned goods.

Paragraph 7 of the resolution

***Recognizes* that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;**

Measures taken

The Great Jamahiriya requires assistance from other countries with the necessary experience and competencies. As a small country having limited experience with treaties on the subject, it cannot offer any technical assistance in this area.

Paragraph 8 of the resolution

***Calls upon* all States:**

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are

parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

Measures taken

On 19 December 2003, the Great Jamahiriya proved that it was complying with international treaties on disarmament and non-proliferation when it announced, without being compelled to do so, that it would eliminate all programmes and facilities that could be used to produce internationally banned weapons, under the supervision of IAEA and other competent organizations. It agreed to:

1. Dismantle all facilities and programmes relating to the nuclear fuel cycle (conversion and enrichment programmes);

2. Remove from the country all facilities involved in the conversion and enrichment of nuclear fuel;

3. Remove from the country all documents and maps dealing with the nuclear programme and the manufacture of related equipment;

4. Remove from the country dual-use equipment, i.e., that which could be used in the nuclear programme;

5. Remove from the country ionized and imported nuclear materials (UF6);

6. Send highly enriched nuclear material to the Russian Federation and convert the Tajura research reactor to a low-enrichment reactor;

7. Ratify the Comprehensive Nuclear-Test-Ban Treaty (6 January 2004) and sign the Additional Protocol to the Treaty (10 March 2004);

8. Submit a full declaration, note the changes made in the nuclear stockpiles, and supply plans to IAEA in accordance with the aforesaid Protocol and the safeguards agreement;

9. Authorize IAEA to verify the existing quantities of enriched uranium;

10. Accede to the Convention on the Physical Protection of Nuclear Material (17 November 2000);

11. Play a decisive role in the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) and in the establishment in the Middle East of a zone free of all weapons of mass destruction.

Ballistic missiles and missile launchers

Since adopting its voluntary initiative on 19 December 2003, the Great Jamahiriya has limited its stock of missiles to those that comply with the norms laid down in the Missile Technology Control Regime (MTCR).

The Great Jamahiriya has no programmes for ballistic missiles designed to transport weapons of mass destruction.

The Great Jamahiriya has no programmes for ballistic missile launchers, nor does it have any launch sites, and has never carried out activities in that area.

(See the reports submitted by the Great Jamahiriya to OPCW, annexed hereto.)

Paragraph 9 of the resolution

***Calls upon* all States to promote dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;**

Measures taken

The Great Jamahiriya participates in all conferences held in the framework of organizations and conventions dealing with this issue, and it strives to always emphasize the need for dialogue and cooperation in the area of non-proliferation.

Paragraph 10 of the resolution

Further to counter that threat, *calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

Measures taken

The Great Jamahiriya supports the initiative and the non-proliferation security measures and believes that the effective implementation of Security Council resolution 1540 (2004) requires the adoption of measures based on cooperation.

The competent authorities are constantly seeking to strengthen these measures at the bilateral, regional and international levels.